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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Re Appln. of: James Brunner

Appln. No.: 09/779,903

Examiner: Labaze, Edwyn

Filed: February 8, 2001

Art Unit: 2876

For: MACHINE AND PROCESS FOR
MANUFACTURING A LABEL WITH A SECURITY
ELEMENT

Attorney Docket No: 10711/4

Mail Stop AF
Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

TRANSMITTAL

Sir:

Attached is/are:

Amendment Under 37 C.F.R. § 1.116 and Submission Of Formal Drawings with seven (7) sheets of formal drawings

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Fee calculation:

No additional fee is required.

Small Entity.

An extension fee in an amount of \$____ for a ____-month extension of time under 37 C.F.R. § 1.136(a).

A petition or processing fee in an amount of \$____ under 37 C.F.R. § 1.17(____).

An additional filing fee has been calculated as shown below:

	Claims Remaining After Amendment		Highest No. Previously Paid For	Present Extra	Small Entity		or	Not a Small Entity	
					Rate	Add'l Fee		Rate	Add'l Fee
Total	65	Minus	65	0	x \$9=			x \$18=	
Indep.	7	Minus	6	1	x 43=	\$43		x \$86=	
First Presentation of Multiple Dep. Claim					+\$145=			+\$290=	
					Total	\$43	Total		

Fee payment:

- A check in the amount of \$43.00 to cover the above-identified fee(s) is enclosed.
- A check in the amount of \$_____ to cover the extension filing fee is enclosed.
- Please charge Deposit Account No. 23-1925 in the amount of \$_____. A copy of this Transmittal is enclosed for this purpose.
- Payment by credit card in the amount of \$_____ (Form PTO-2038 is attached).
- The Director is hereby authorized to charge payment of any additional filing fees required under 37 CFR § 1.16 and any patent application processing fees under 37 CFR § 1.17 associated with this paper (including any extension fee required to ensure that this paper is timely filed), or to credit any overpayment, to Deposit Account No. 23-1925.

Respectfully submitted,

August 24, 2004
August 24, 2004


John C. Freeman (Reg. No. 34,483)

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PATENT
CASE NO. 10711/4

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application:)
James Brunner)
U.S. Patent Application) Group Art Unit: 2876
Serial No.: 09/779,903)
Filing Date: February 8, 2001) Examiner: Labaze, Edwyn
For: MACHINE AND PROCESS FOR)
MANUFACTURING A LABEL)
WITH A SECURITY ELEMENT)

AMENDMENT UNDER 37 C.F.R. § 1.116

Mail Stop AF
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Dear Sir:

This Amendment is in response to the Office Action mailed May 24, 2004.

This Amendment is necessary and was not earlier presented, because it contests the finality of the May 24, 2004 Office Action, responds to new rejections based on Klein et al. and responds to the fact that claim 33 has not been rejected based on the prior art and thus is allowable. The present Amendment has amended claim 33 to be in independent form and so examination of claim 33

will not require further consideration or a new search. Furthermore, since the present

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Amendment demonstrates that the rejections based on Klein et al. are improper, the claims are in allowable form which reduces the issues for Appeal. Accordingly, Applicant requests that the present Amendment be considered and entered. Please amend claim 33 as follows: